



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON TRANSPORTATION

Voting Members:

Joey Manahan, Chair
Kymberly Marcos Pine, Vice Chair
Ikaika Anderson
Brandon J.C. Elefante
Ron Menor

MINUTES

REGULAR MEETING
THURSDAY, APRIL 19, 2018

COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Transportation was called to order by Committee Chair Joey Manahan at 1:04 p.m. Voting Members Anderson, Elefante, Menor, and Pine were present at the meeting. Nonvoting Members, Council Chair Martin and Councilmembers Fukunaga and Kobayashi, also attended the meeting.

STAFF PRESENT

Dinna Schwiering, Legislative Aide to Committee Chair Manahan
Doug Chun, Analyst, Office of Council Services
Sharon Brooks, Attorney, Office of Council Services
Kathleen Kelly, Deputy, Department of the Corporation Counsel, assigned to the Committee
Darcie Nago, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the March 22, 2018 meeting of the Committee on Transportation were approved as circulated.

AYES: ELEFANTE, MENOR, MANAHAN – 3.
NOES: None.
EXCUSED: ANDERSON, PINE – 2.

FOR ACTION

1. RESOLUTION 18-80 – COMMITTEE REPORT 154

SAFE ROUTES TO SCHOOL PROGRAM. Authorizing the Director of Transportation Services or the director's designee to accept and expend \$291,317.64 from the Safe Routes to School (SRTS) Special Fund to implement a county level SRTS program in the City and County of Honolulu.

Administration/Others

Wes Fryszacki, Director, Department of Transportation Services

Director Fryszacki spoke in support of the Resolution, noting that the SRTS program was one of the best the City had to offer.

Director Fryszacki addressed Committee Member Menor's queries, stating that the SRTS program includes both programmatic and project specific activities, such as Compete Streets and agreed to provide information on how schools are targeted as beneficiaries of the program.

The following individual testified:

Karen Carlen (comments)

Resolution 18-80 reported out for adoption.

AYES: ANDERSON, ELEFANTE, MENOR, PINE, MANAHAN – 5.
NOES: None.

Related communication:

D-188 Department of Transportation Services, transmitting draft resolution.

2. RESOLUTION 18-63 – COMMITTEE REPORT 153

ZERO-EMISSION ELECTRIC BUS SYSTEM, VEHICLE MOTOR POOL, AND AUTOMOTIVE FLEET. Urging the City Administration to implement the transition to an all zero-emission electric bus system, vehicle motor pool, and automotive fleet.

Administration/Others

Wes Frysztacki, Director, Department of Transportation Services (DTS)
Ross Sasamura, Director and Chief Engineer, Department of Facility
Maintenance
Jon Nouchi, Deputy Director, DTS

Director Sasamura spoke in support of the Resolution.

Director Frysztacki requested that the September 1, 2018 report date noted in the Resolution be extended for a year to allow the DTS to budget for and report back to the Council.

Director Sasamura and Deputy Director Nouchi addressed Committee members' queries with the following information:

- Electric buses are specifically designed for its routes.
- The Administration is in the technical phase of designing the specifications for the electric buses and will proceed with procurement thereafter.
- An electric bus from Proterra Inc. was used in a demonstration project that tested its performance through various routes including freeways, hills, and low and high density ridership. Drivers enjoyed operating the electric bus despite its grade ability challenges climbing hills over long distances. The biggest complaint was the placement of the tape between windows that signaled a stop request. Riders had a hard time reaching for it since it was placed a little high and it was a change from the existing cord in diesel buses.

The performance of an electric bus from BYD is currently being evaluated through the same route.

- The four County Mayors set a goal to have all public ground transportation fleets fueled by renewable sources by 2035.

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- The Administration will be judicious in how they budget and select product lines since the selection of zero-emission vehicles is limited.
- City facilities would need to have adequate electrical service with enough circuitry capacity for the City vehicle fleet.

The following individuals testified:

1. Rose Pou (comments)
2. Karen Carlen (comments)

Resolution 18-63 reported out for adoption.

AYES: ANDERSON, ELEFANTE, MENOR, PINE, MANAHAN – 5.
NOES: None.

Related communication:

M-215 Early Testimony for Resolution 18-63.

3. BILL 8 (2018)

RELATING TO BUSES. Setting pollution control requirements for certain City buses.

Administration/Others

Wes Frysztacki, Director, Department of Transportation Services

Director Frysztacki spoke in support of the Bill; however, stated that it would be impractical for the DTS to fulfill its obligations by the year 2020 due to the lengthy procurement process and the industry's limited production of buses per year.

Committee Chair Manahan queried and Director Frysztacki agreed to provide written amendments to the Bill and requested time to work with him on an achievable measure.

The following individual testified:

Rose Pou (comments)

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Action on Bill 8 (2018) postponed.

AYES: ANDERSON, ELEFANTE, MENOR, MANAHAN – 4.

NOES: None.

EXCUSED: PINE – 1.

4. BILL 25 (2018)

RELATING TO CITY FACILITIES. Providing for electric vehicle charging systems at new and reconstructed City facilities.

Administration/Others

Wes Frysztacki, Director, Department of Transportation Services

Director Frysztacki spoke in support of the Bill and stated that the City is required to provide one charging space per 100 stalls and is looking at other technologies to respond to the demand, including mobile units that are taken to the vehicle. The Director stated that House Bill 2274 is for consideration at the State Legislature. It requires off-street parking facilities to have two electric charging spaces for every 100 by 2021 and three electric charging spaces for every 100 by 2024. He suggested that the City be consistent with the State and stated his preference to defer action on the Bill until the end of Session.

Director Frysztacki responded to Committee Member Menor's query, stating that the current law allows the City to charge a fee for electric charging and allows older facilities to concentrate the required amount of charging stations to one or several facilities in order to comply with the requirement. The City would benefit because some of the garages are more conducive to accommodating electric charging stations than others.

The following individuals testified:

1. Arthur Hughes (comments)
2. Brandon Lee, Ulupono Initiative (support)

Committee Chair Manahan recommended postponing action on the Bill until the State Legislature is done with its Session.

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Action on Bill 25 (2018) postponed.

AYES: ANDERSON, ELEFANTE, MENOR, PINE, MANAHAN – 5.
NOES: None.

Related communication:

M-221 Additional Testimony for Bill 25 (2018).

5. BILL 27 (2018) – COMMITTEE REPORT 152

RELATING TO PEDESTRIAN SAFETY. Requiring the City to conduct periodic studies of all traffic crashes involving a pedestrian fatality or serious injury in order to improve pedestrian safety by implementing strategies including, but not limited to, installing engineering improvements such as leading pedestrian intervals.

Administration/Others

Wes Frysztacki, Director, Department of Transportation Services (DTS)
Mark Kikuchi, Chief Traffic Engineer, DTS

There was no public testimony.

Director Frysztacki spoke in support of the Bill, stating that the Department conducts traffic accident studies to improve pedestrian safety. The Director requested the following amendments to the Bill:

- To focus the attention on a particular corridor for common repeated incidences that require an in-depth level of analysis.
- The report date be changed to March 31, 2020 to allow the Department to budget for the investigation.

Director Frysztacki and Chief Traffic Engineer Kikuchi provided an overview of the Department's response process for traffic accident studies.

Committee Chair Manahan stated his willingness to work with the Department on amendments and to continue the discussion.

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Councilmember Kobayashi spoke in support of the Bill, noting the importance of pedestrian safety. The Councilmember stated that she remains hopeful that she would receive her previous request for the miles of sidewalks that have been constructed.

Bill 27 (2018) reported out for second reading and scheduling of a public hearing.

AYES: ANDERSON, ELEFANTE, MENOR, MANAHAN – 4.

NOES: None.

EXCUSED: PINE – 1.

6. BILL 56 (2016)

PRIVATE TRANSPORTATION COMPANIES AND DRIVERS. Establishing additional regulations governing private transportation companies and drivers, including regulations relating to the rates and charges of the companies. Private transportation companies include both taxicab companies and transportation network companies.

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 56 (2016) (Submitted by Councilmember Kobayashi) – The CD1 (OCS2018-0382/4/13/2018 3:01 PM) makes the following amendments:

- A. Deletes Sections 2 through 8 in the bill, and adds new Sections 2 through 4 in the bill (as described below) in its place.
- B. In new Section 2, repeals ROH Section 12-1.20, relating to taxicab certification numbers.
- C. In new Section 3, revises ROH Section 12-6.12(a) by removing the authorization of the Department of Customer Services to visually inspect, no more than annually, a sample of records that private transportation companies are required to maintain for compliance purposes and instead:
 - 1. Require that private transportation companies furnish to the Department all records that the company is required to maintain under ROH Chapter 12, Article 6 upon the Department's request, notwithstanding ROH Section 12-6.13(a);
 - 2. Require that the Department of Customer Services conduct periodic inspections to ensure compliance; and

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3. Specifies that any record furnished to the Department of Customer Services may exclude information that would tend to identify specific riders instead of drivers and riders.
- D. In new Section 4, adds two new sections to ROH Chapter 12, Article 6 (relating to Private Transportation Companies, Vehicles, and Drivers) that:
1. Prohibits private transportation companies or drivers providing prearranged rides from charging an excess fare such as a fare that is three times the standard fare;
 2. Authorizes a private transportation company to establish a reasonable surcharge for vehicles equipped for wheelchairs and other necessary medical equipment; and
 3. Requires a transportation network company's digital network to disclose the total fare or total fare range prior to the confirmation of a ride for a passenger for hire.
- E. Renumbers Section 9 of the bill to Section 5 and updates Revisor's clause to comport with current drafting convention for bills.
- F. Deletes Section 10 of the bill.
- G. Renumbers Section 11 of the bill to Section 6 and revises its contents to specify that the ordinance will take effect upon its approval.
- H. Makes miscellaneous technical and nonsubstantive amendments.

The following amendment was circulated at the meeting:

PROPOSED CD1 TO BILL 56 (2016) (Submitted by Council Chair Martin) – The CD1 (OCS2018-0325/4/12/2018 2:07 PM) makes the following amendments:

- A. Deletes Sections 2 through 11 in the bill, and adds new Sections 2 through 13 in the bill (as described below).
- B. In new Bill Section 2, specifies that the database required to be kept by the Director of Customer Services must, at minimum, include the private transportation certification numbers issued to certified transportation drivers by the department as required in new ROH Section 12-6.5(h).

- C. In new Bill Section 3, amends ROH Section 12-6.5 by:
 - 1. Amending subsection (c)(6) to specify that a private transportation company, shall, at a minimum, obtain records to establish that the driver, among other things, has submitted clearance from a physician currently licensed to practice medicine in the State of Hawaii verifying that the driver is physically and mentally fit to be a private transportation driver and is free of any known medical condition that would put a passenger at risk; and
 - 2. Adding a new subsection (h) to require that the Director of Customer Services issue private transportation certification numbers to each private transportation driver that has been certified by a private transportation company and require that the private transportation company keep a record of the number until such time that the driver is no longer affiliated with the company or is no longer permitted to act as a transportation network company driver on the transportation network company's digital network.
- D. In new Bill Section 4, repeals ROH Section 12-6.8 (relating to receipts). A similar provision is included in the new ROH section added in Bill Section 6.
- E. In new Bill Section 5, amends ROH Section 12-6.11 (relating to the identification of private transportation vehicles) by:
 - 1. Requiring that the trade dress, logo, or company identifier be (in addition to being between 2 inches and 3 inches in height, and a minimum of 4 inches in width), visible from not less than 30 feet away and composed of permanent adhesive vinyl that is nonglare and nonreflective; and
 - 2. Requiring private transportation companies to direct their drivers to display the private transportation certification number issued by the Department of Customer Services pursuant to new ROH Section 12-6.5(h) in certain locations with certain requirements.
- F. In new Bill Section 6, adds three new sections to ROH Chapter 12, Article 6 (relating to Private Transportation Companies, Vehicles, and Drivers), that, among other things:
 - 1. Require the Director of Customer Services to establish the maximum fares and baggage charges that may be charged to passengers of

- private transportation companies and certain other charges by rule subject to certain exceptions or conditions;
2. Require all private transportation drivers to provide passengers, upon completion of a ride and upon request, a receipt;
 3. Specify that taxicabs be equipped with a taximeter that is calibrated to charge the new fare being established by the Director of Customer Services in new ROH Section 12-6.7.1; and
 4. Specify that a transportation network company's digital network must disclose the total fare or fare range and the rates and charges used in calculating the total fare range and any variables that may result in additional or higher charges.
- G. In new Section 7, makes a conforming amendment to ROH Section 12-1.11(e) to change the reference from ROH Section 12-1.10 to Section 12-6.7.1.
- H. In new Section 8, repeals ROH Section 12-1.8 (relating to taximeters). A similar provision is included in the new ROH section added in Bill Section 6.
- I. In new Section 9, repeals ROH Section 12-1.10 (relating to the Director of Customer Services' authority to establish the rate of fare and baggage charges, certain exceptions and conditions to that authority, and receipts that are required upon request). A similar provision is included in the new ROH section added in Bill Section 6.
- J. In new Section 10, repeals ROH Section 12-1.20 (relating to taxicab certification numbers). A similar provision is included in the new ROH section added in Bill Section 6.
- K. In new Section 11, adds a Revisor's clause that comports with current drafting conventions.
- L. In new Section 12, specifies that until such time that the Director of Customer Services adopts rules to establish the maximum fares and baggage charges that may be charged to passengers of private transportation companies as required by new ROH Section 12-6.7.1 (in Section 7 of this ordinance), existing maximum fares and baggage charges that are currently in effect for taxicabs and jitney operations, as set by the Director of Customer Services in pursuant to ROH Section 12-1.10, shall remain in effect.

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- M. In new Section 13, specifies that the ordinance takes effect upon its approval.
- N. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Sheri Kajiware, Director, Department of Customer Services

Councilmember Kobayashi, the introducer of the Bill, and Council Chair Martin provided an overview of their respective CD1 version.

Director Kajiware provided comments on the posted CD1 version, as detailed in Communication D-225. She stated that she has not been able to review the hand-carried version before the meeting.

Councilmember Kobayashi clarified that an audit was not the same as an inspection.

Director Kajiware addressed Committee members' queries with the following information:

- Transportation network companies (TNC) may display approved trade dressings on the bumper or in the back lower left window of the vehicle.
- Drivers who work for multiple companies may display multiple trade dressings in the approved areas.
- The Bill warrants review and there should be a level playing field for taxi companies and TNCs.

The following individuals testified:

1. Robert Deluze, Roberts Taxi (comments)
2. Dale Evans, Charley's Taxi (support)
3. Howard Higa, TheCab (support)
4. Bryan Mick, Disability and Communication Access Board (comments)
5. David Jung, Vehicle Cab and City Taxi (support)
6. Barbra Armentrout (comments)
7. Tabatha Chow, Uber (comments)

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Ms. Chow addressed members' queries with the following information:

- Uber does not support surcharges for baggage and for the disabled.
- The average multiple price surge is less than 1.4 times.
- Uber is a proponent of the free market with no regulation.
- The large amount of Uber drivers allows for affordable prices.
- TNCs and taxi companies have different business models that are recognized by the City, State, and across the country.
- Uber should not be regulated the same as taxi companies. For example, taxi companies are required to post fares inside of the vehicle. Uber provides riders with the cost of the trip before the ride is requested through their mobile app.
- Uber does not charge surge pricing in the event of a natural disaster.
- Uber supports current TNC regulations and its database.
- Uber drivers do not know the rider's destination beforehand.

8. Arthur Hughes (support)
9. Bikram Kakshapati, Charley's Taxi (support)
10. Taimi Toeaina, Charley's Taxi (comments)
11. Tyler Russell (support)
12. Molly Pierce, Lyft (comments)

Mr. Higa responded to Committee Member Anderson with the following information:

- The taxi meter operates on distance and time and has a maximum cap rate.
- TheCab offers kamaaina rates based on zip code.
- Taxi companies and TNCs should be treated the same.

Council Chair Martin spoke in support of moving the Bill forward and of his commitment to working with Councilmember Kobayashi on the Bill.

Councilmember Kobayashi stated that combining the two amendments would achieve her goal of protecting the consumer and having a level playing field.

Committee Chair Manahan stated that there needs to be a more level playing field and recommended postponing action on the Bill to consider both amendments and work with the parties involved.

Action on Bill 56 (2016) postponed.

AYES: ANDERSON, ELEFANTE, MENOR, PINE, MANAHAN – 5.
NOES: None.

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Related communications:

- D-225 Department of Customer Services, submitting testimony on the posted CD1 version.
- M-216 Early Testimony for Bill 56 (2016).
- M-222 Additional Testimony for Bill 56 (2016).

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

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DATE APPROVED

May 24, 2018